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In re Application of
Moncrieff, Waldron, Grimes, and Gunneman
Application No.: 10/659,046
Filed: September 9, 2003
Attorney Docket No: CFT-011CIA
For: METHOD FOR MANUFACTURING AN EMULSIFIED
FUEL

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MAY 18 2004

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: DECISION ACCORDING
: RULE 47(a) STATUS

This is in response to the renewed petition under 37 CFR 1.47(a), filed May 10, 2004.

The petition is **GRANTED**.

The above-identified application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). This application is hereby accorded **Rule 1.47(a) status**.

The above-cited application was filed on September 9, 2003, with a declaration missing the signature of inventor Gunneman. On December 1, 2003, a Notice to File Missing Parts of Nonprovisional Application was mailed requiring a properly executed oath or declaration, a surcharge, and claim and filing fees. The notice set an extendable period for reply of two months from its mailing date. A petition under 37 CFR 1.47(a) was filed on March 1, 2004, and dismissed by a decision mailed April 16, 2004. The instant renewed petition was then filed on May 10, 2004.

Petitioner has shown that inventor Gunneman has expressly refused accept the application papers for review and had refused to join the above-identified application. The above-identified application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). This application is hereby accorded **Rule 1.47(a) status**.

As provided in Rule 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the addresses given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

This application will be forwarded to the Office of Initial Patent Examination for further processing.

Telephone inquiries should be directed to the undersigned at (703) 305-0010.



Kenya A. McLaughlin
Petitions Attorney
Office of Petitions



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Rudolph Gunneman
6601 Windy Hills Way
Reno, NV 89511

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LETTER

Dear Mr. Gunneman:

You are named as a joint inventor in the above-identified United States reissue patent application filed under the provisions of 35 U.S.C. 116 (United States Code) and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

As a joint inventor, you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63. It should be further noted that any assignee of record of the entire interest in the application may request that the inventor(s) be excluded from access to the application. If the request is granted, you will be informed of that fact and will only be permitted to inspect the application on sufficient showing of why such inspection is necessary to conserve your rights. See MPEP 106, citing, *In re The Kellog Switchboard & Supply Company*, 1906 C.D. 274 (Comm'r Pat. 1906).

Telephone inquiries regarding this communication should be directed to Petitions Attorney Kenya A. McLaughlin at (703) 305-0010. Requests for information regarding your application should be directed to the File Information Unit at (703) 308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to Certification Division at (703) 308-9726 or 1-800-972-6382 (outside the Washington D.C. area).

Kenya A. McLaughlin
Petitions Attorney
Office of Petitions

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